

ORIGINAL

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
CLERKS OFFICE
2004 JUL 13 P 4:43

Segue Software, Inc.

Plaintiff,

v.

PCTEL, Inc.

Defendant.

Civil Action No. 04-10388MLW

AGREED-TO MOTION TO ENLARGE TIME TO RESPOND TO THE COMPLAINT

Plaintiff Segue Software, Inc. ("Segue") moves to enlarge the defendant PCTEL, Inc.'s ("Defendant") time to answer or otherwise respond the Complaint in this action by 30 days. Segue served the Complaint on June 24, 2004. Pursuant to Fed. R. Civ. P. 12, Defendant's response is due on July 14, 2004. The parties are negotiating in good faith to settle the matter and Segue requests an order enlarging the Defendant's time to respond in order to spare the parties unnecessary litigation expenses. The Defendant assents to this motion. If the motion is granted, Defendant's response to the Complaint will be due on or by August 13, 2004.

Respectfully submitted,
SEGUE SOFTWARE, INC.,

By its attorneys,



Stephen D. Foss, P.C. (BBO # 551760)

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Boston, Massachusetts 02109-2881

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Dated: July 13, 2004

So ordered,

District Court Judge

Dated:

L.R. 7.1 CERTIFICATE

I hereby certify that counsel for the parties have conferred in a good faith effort to resolve or narrow the issues. The parties agree that the extension requested in this motion is in the best interest of settlement.

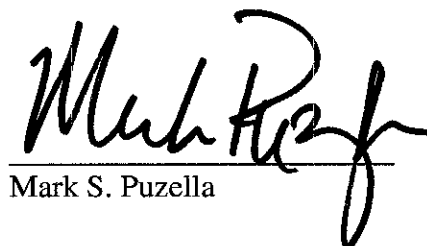


Mark S. Puzella

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served on July 13, 2004 to counsel for Defendant by facsimile and First Class Mail:

James Y. Leong, Esq.
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